

Assembly Bill No. 858

Passed the Assembly August 11, 1998

Chief Clerk of the Assembly

Passed the Senate August 10, 1998

Secretary of the Senate

This bill was received by the Governor this ____ day
of _____, 1998, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to add Article 13 (commencing with Section 44395) to Chapter 2 of Part 25 of the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 858, Davis. Education: certification program of National Board for Professional Teaching Standards.

Existing law requires the governing board of a school district to employ for positions requiring certification qualifications, only persons who possess the qualifications for certification prescribed by law. Existing law sets forth the minimum requirements for the preliminary and professional multiple or single subject teaching credential.

This bill would establish the National Board for Professional Teaching Standards Certification Incentive Program to award grants to school districts for the purpose of providing one-time \$10,000 merit awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. The State Department of Education would be required to administer the program and develop, in consultation with the Commission on Teacher Credentialing, certification and merit award information, criteria, procedures, and applications, all of which would be submitted to the State Board of Education for approval. Each school district would be required to make every effort to ensure that teachers employed by the district or by charter schools affiliated with the district are informed about the program and can acquire the necessary application and information materials. Applications would be submitted to school districts that would be required to certify that the applicant is employed by the district or a charter school operating under a charter granted by the school district and that the applicant has met all the program



criteria. By requiring school districts to ensure teachers are informed about the program and to handle and act on applications, this bill would impose a state-mandated local program. The bill would require the State Department of Education to review and approve the applications.

This bill would require the issuance of a clear teaching credential to a teacher who is licensed to teach in a state other than California and who is certified by the National Board for Professional Teaching Standards.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) In an educational program, teacher knowledge, skills, and abilities are among the most important factors in determining pupil achievement.

(2) The National Board for Professional Teaching Standards has instituted a rigorous certification process that identifies teachers who possess and can demonstrate the state-of-the-art knowledge, skills, and abilities of the teaching profession.

(3) It is desirable that school districts in California employ in the public schools as many teachers as possible who have attained certification from the National Board for Professional Teaching Standards.



(4) It is essential that California encourage teachers to challenge themselves by undergoing the certification process established by the National Board for Professional Teaching Standards.

(b) It is the intent of the Legislature that funding for the National Board for Professional Teaching Standards Certification Incentive Program established by the act adding this section be appropriated in the annual Budget Act.

SEC. 2. Article 13 (commencing with Section 44395) is added to Chapter 2 of Part 25 of the Education Code, to read:

Article 13. National Board for Professional Teaching
Standards Certification Incentive Program

44395. (a) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing merit awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. The amount of the merit award shall be ten thousand dollars (\$10,000) per teacher and shall be of a one-time nature on behalf of any one teacher.

(b) The State Department of Education shall administer the program and shall develop, in consultation with the Commission on Teacher Credentialing, certification and merit award information, criteria, procedures, and applications, all of which shall be submitted to the State Board of Education for approval. Amendments requested by the State Board of Education to that information, criteria, procedures, and applications shall be made before the dissemination of information and the award of any grants under this article.

(c) The State Department of Education shall distribute to school districts information developed pursuant to subdivision (b) about the certification



process established by the National Board for Professional Teaching Standards along with application materials and instructions for the merit award program. Each school district shall make every effort to ensure that teachers employed by the district or by charter schools affiliated with the district are informed about the program and can acquire the necessary application and information materials.

(d) School districts are encouraged to provide for adequate release time and support for a teacher to complete the certification process. As a condition to providing that release time and support, a school district may require that a teacher serve in a mentor teacher capacity.

(e) For purposes of this article, “school district” means school district, county board of education, county superintendent of schools, a state operated program, such as a special school, or an education program providing instruction in kindergarten or any of grades 1 to 12, inclusive, that is offered by a state agency, including the California Youth Authority and the State Department of Developmental Services.

44396. (a) (1) To the extent that funds are available for that purpose, a teacher who meets the criteria approved by the State Board of Education pursuant to subdivision (b) of Section 44395 is eligible for a merit award and may apply for the award by following the procedures and instructions developed pursuant to subdivision (b) of Section 44395.

(2) A teacher who attained certification from the National Board for Professional Teaching Standards before the effective date of the act adding this section and who was employed by a school district or charter school and assigned to teach in a California public school on the date of certification may apply for a merit award if he or she meets all the other requirements of this article.

(b) Teachers shall submit their application to the school district employing them. Teachers employed by a charter school shall submit their application through the school district granting the school’s charter.



(c) When a school district receives an application, it shall certify that the applicant is employed by the district or a charter school operating under a charter granted by the school district and that the applicant has met all the criteria established pursuant to subdivision (b) of Section 44395. The school district shall then submit the application to the State Department of Education for its review and approval.

(d) The State Department of Education shall approve an application that meets the criteria established pursuant to subdivision (b) of Section 44395. To the extent funds are available, the State Department of Education shall apportion funds to the school district in the amount of ten thousand dollars (\$10,000) for each approved application. The school district shall use funds apportioned to it pursuant to this subdivision to provide a one-time merit award of ten thousand dollars (\$10,000) to each teacher whose application is approved by the State Department of Education.

44397. Notwithstanding any provision of law except Sections 44332.6, 44340, 44346.1, and 44830.1, a teacher who is licensed to teach in a state other than California and who is certified by the National Board for Professional Teaching Standards shall be issued a clear teaching credential authorizing the teacher to teach in the subject area in which the teacher has received national certification.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act



shall become operative on the same date that the act takes effect pursuant to the California Constitution.



Approved _____, 1998

Governor

